

**FILED**

OCT 5 - 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF  
AMERICA,

No. CR 05-00452 SBA/WDB

Plaintiff,

ORDER RE APPLICABILITY OF  
18 U.S.C. SEC. 1018  
TO FACTS ADMITTED BY  
DEFENDANT

v.

GREGORY P. MOELLER,

Defendant.

Having considered the Stipulation filed by the parties on October 3, 2005, and the Memorandum filed by counsel for the defendant on September 30, 2005, the court has concluded that 18 U.S.C. sec. 1018 does apply to the facts as recited in the proposed plea agreement. Having so concluded, the court will accept a guilty plea by the defendant (after completing an appropriate Rule 11 voir dire) on October 18, 2005. This matter will be called on the undersigned's 10:00 a.m. calendar on that date.

IT IS SO ORDERED.

Dated: October 5, 2005

  
WAYNE D. BRAZIL  
United States Magistrate Judge

Copies to: All parties, WDB, Stats, Lisa Clark (SBA's Clerk)  
via ECF